MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

APRIL 16, 2013

INVOCATION:
Greg Burtnett of Grace Baptist gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Zuniga led the Pledge of Allegiance.

CALL TO ORDER

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Green, Orach, Zuniga, Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, City Librarian Housel, Police Chief Martin, Fire Chief Orr, Director of Recreation and Parks Posada, Director of Utilities Sweet, Director of Public Works/City Engineer Whitehead, Deputy City Manager Barnhard, Deputy City Manager Lara, and Community Development Secretary Kathleen Wilson.

1. PROCLAMATIONS/PRESENTATIONS:

A. LIBRARY VOLUNTEER OF THE MONTH.
William Kline was recognized as the Library Volunteer of the Month for April 2013. Councilmember Orach presented a gift to thank Mr. Kline for his unfailing 30 years of continuous service to the Library and the community.

B. PROCLAMATION – NATIONAL LIBRARY WEEK
Councilmember Boysen read a proclamation declaring the week of April 14-20, 2013 as "National Library Week" in the City of Santa Maria. The proclamation was accepted by Mary Housel, City Librarian in the City of Santa Maria.

C. PROCLAMATION – FAIR HOUSING MONTH.
Councilmember Boysen read a proclamation declaring the month of April 2013 as "Fair Housing Month" in the City of Santa Maria. The proclamation was accepted by Corrie Arrellano from the Legal Aid Foundation.

D. PROCLAMATION – BOYS & GIRLS CLUB MONTH.
Councilmember Green read a proclamation declaring the month of April 2013 as "Boys & Girls Club Month" in the City of Santa Maria. The proclamation was accepted by Bill Libbon, Executive Director, Boys & Girls Club of Santa Maria Valley.

E. PROCLAMATION – KITE MONTH.
Councilmember Orach read a proclamation declaring the month of April 2013 as "Kite Month" in the City of Santa Maria. The proclamation was accepted by Karen Ortiz May and Ady Frausto, Santa Maria Valley Discovery Museum.

F. PROCLAMATION – NATIONAL CRIME VICTIMS' RIGHTS WEEK.
Councilmember Zuniga read a proclamation declaring April 21-27, 2013, as "National Crime Victims' Rights Week" in the City of Santa Maria. The proclamation was accepted by Steve Foley, Chief Deputy District Attorney.

G. PROCLAMATION – NATIONAL DAY OF PRAYER OBSERVANCE.
Councilmember Green read a proclamation declaring the 2nd of May, 2013 as "National Day of Prayer Observance" in the City of Santa Maria. The proclamation was accepted by Cecile Prevost, Kathy Staples, Pastor Roger Wheeler, and Sister Catherine.

H. PROCLAMATION – NATIONAL TOURISM WEEK.
Councilmember Zuniga read a proclamation declaring May 4-13, 2013 as "National Tourism Week" in the City of Santa Maria. The proclamation was accepted by Terri Paniagua and Jennifer Harrison from the Santa Maria Valley Chamber of Commerce.

I. PROCLAMATION – EARTH DAY
Mayor Patino read a proclamation declaring April 20. 2013, as "Earth Day" in the City of Santa Maria. The proclamation was accepted by Tahir Masood from the Natural History Museum Board President.

Mayor Patino asked Police Chief Martin and Fire Chief Orr to make some comments on the recent Boston-area bombing and to discuss how the City of Santa Maria is prepared to handle such emergencies. She also asked Police Chief Martin for an update on the recent release of the sexually violent predator, Tibor Karsai, into Santa Barbara County and the City of Santa Maria as a transient.

Police Chief Martin indicated that the City participates in a Countywide terrorist early-warning group, and has a Police Department staff person as a member of the group. If a threat were received, the group would make an assessment and provide that information to the City. Based upon the information received, the City can best determine the use of its resources. Terrorists often chose the targets that will inflict the greatest damage, which is why larger cities or events are targeted. The City's Police and Fire Departments work together in designating an emergency operations center, determining pre-staging areas, using the Incident Command System, and in communicating with the public. He indicated that Police and Fire run the operation together and work closely on all aspects of the event.

Fire Chief Orr stated that his Department uses the Auto Mutual Aid program as a tool on a daily basis. The Police Department has the crime scene investigative authority, and the Fire Department handles the causality incidents and treating the injured or getting the injured to the hospital. With the increases in the ratings of the trauma centers at Santa Barbara Cottage Hospital and at Marian Regional Medical Center, and the services provided by CalStar flights, the Fire Department is able to spread patients throughout San Luis Obispo and Santa Barbara Counties so as to not impact any one hospital.

Chief Martin also spoke about the recent release as a transient of the violent sexual predator, Tibor Karsai, into the County of Santa Barbara and the City of Santa Maria. He indicated that the District Attorney tried to keep Mr. Karsai out of the County as a transient release. His release is under management of the California State of Mental Health system. Liberty Health Care will monitor him 24 hours a day, 7 days a week with a GPS attached to his person. He is traveling in a motorhome, and is being driven by staff from Liberty Health Care. Mr. Karsai does not have a California driver license and will not be eligible for a driver's license for at least one year. During the daytime hours, Mr. Karsai and his security contingent will be in the City of Santa Maria so that he can visit his mother. However, he has a night curfew; from 9:00 p.m. to 6:00 a.m. and cannot be in the City. During the curfew hours, the motorhome that he will live and be parked where he must remain inside. If the motorhome or Mr. Karsai move at anytime after 9:00 p.m., the GPS will be alerted and the Sheriff's Department will receive immediate notification. Pre-designated areas have been established where he can live at night, and none of them are in the City. The Santa Maria Police Dispatch Center will be notified of any appropriate response based on information provided by the Sheriff's Department. A Police Sergeant will be assigned as a point of contact and assigned to monitor Mr. Karsai.

Mayor Patino thanked Police Chief Martin and Fire Chief Orr for their comments. She asked what the cost was to the taxpayers on a daily basis to monitor Mr. Karsai.

Police Chief Martin responded that Mr. Karsai must register as a registered violent sex offender, his information will be entered into the Megan's Law computer, and he will have two monitors with him for the entire year. He did not have information on the cost to tax payers.

2. PUBLIC COMMENT:

Nancy Stewart commented that Santa Maria Valley Beautiful has been in the City for many years. She mentioned an upcoming event on April 20 at 11:00 a.m. in Shepard Hall at the Library. She mentioned that during the month of May, Santa Maria Valley Beautiful would be searching for homes with the most pleasant gardens in various categories. Winners will be invited to an Awards dinner in September.

Ernest Armenta spoke about the recent hiring of Police Officers. He indicated that he thought they were excellent choices. Mr. Armenta also spoke about a speaker from Catholic Charities who discussed helping people whose water was shut off by the City, and about legislation prohibiting turning off utilities in households when there was someone with a serious illness. He also spoke about wages earned by employees of In-n-Out Burgers, Windset Farms, and Zodiac Aerospace.

3. CONSENT CALENDAR:

Consent Calendar Items 3A through 3E were approved on motion by Councilmember Orach, seconded by Councilmember Zuniga, and carried on the following vote:

AYES:	Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

A. ORDINANCES.
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES.
The Minutes of the Regular City Council Meeting of April 2, 2013, were approved as submitted.

C. WARRANTS.
Warrant Nos. 178852 to 179132 totaling $2,130,321.52 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 174002, 176774, 178497, 178610, 178780, and 178839 were cancelled.

D. PAYROLL.
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

E. NO STOPPING ZONE – Sierra Madre Avenue
Resolution No. 2013-34 was adopted establishing a no-stopping zone on Sierra Madre Avenue at the intersection of South Bradley Road along the northern right-of-way beginning at the northwestern end of curb return radius and extending one hundred twenty-five (125) feet to the west; and along the southern right-of-way beginning at the southwestern end of curb return radius and extending one hundred twenty-five (125) feet to the west.

Resolution No. 2013-34 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO-STOPPING ZONE ON SIERRA MADRE AVENUE AT THE INTERSECTION OF SOUTH BRADLEY ROAD PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

4. PRESENTATION FROM THE CENTRAL COAST COLLABORATIVE ON HOMELESSNESS.
Representatives from the Central Coast Collaborative on Homelessness (C3H), C3H Facilitator Angela Antenore, Sylvia Bernard, Co-Chair of the Coordination and Executive Committees as well as Executive Director of Good Samaritan Shelter, and Jeff Shaffer, C3H Community Coordinator, made a presentation to the City Council regarding the efforts of C3H to reduce homelessness on the central coast.

The Central Coast Collaborative on Homelessness was formed back in November. A major partner is United Way of Northern Santa Barbara County who serves as their fiscal agent. Their efforts are to effectively and efficiently utilize shared resources to reduce homelessness in Santa Barbara County. They are building on the successes from the former committee on homelessness which was funded by the Santa Barbara Foundation, which continues to this day. The Chronic homeless population was ten percent of the population and a huge portion of that was not being addressed by the ten-year plan. Their efforts have succeeded in providing warming centers throughout the County. There is a Discharge Planner that coordinates homeless individuals who are coming back into the system and to coordinate their placement back into shelters and housing if possible. There are a number of permit housing developments. They were instrumental in obtaining the homeless count, especially here in Northern Santa Barbara County and in Santa Maria. They have worked with HUD to include the vulnerability index with the count, which resulted in the use of an on-going housing placement group that connects people identified as homeless and vulnerable into housing. They also focus on working with the families and homeless individuals to be clean and sober so they can be good tenants for their landlords. The funding that they were able to get through the BOCH was from the Santa Barbara Foundation, which helped them transition into the C3H which they continue to fund to this date.

Space was donated by the Santa Maria United Way, and the City of Santa Barbara. Funding is provided by the County of Santa Barbara, the City of Santa Barbara, and the Santa Barbara Foundation, which is part of the City of Santa Barbara Housing Authority.

Councilmember Orach requested a copy of the PowerPoint presentation. Angela Antenore responded that City Manager Haydon had been given a copy and it was available, along with other information on their website.

Councilmember Boysen commented on the effectiveness of the organization. He spoke about how the statistics generated through the vulnerability index have brought in significant resources, and have been used to successfully compete for a large veterans' grant. Their efforts have also been successful in obtaining funds for the homeless in North County Santa Barbara, and in Santa Maria.

Councilmember Orach clarified that they were not a non-profit agency, that there is a "fiscal agent" under the umbrella of the United Way of Santa Maria, Northern Santa Barbara County.

Mayor Patino asked about the percentages of children who are homeless, and those with both parents or with a single parent. The presenter answered that single fathers were coming through the doors at the shelters in both Santa Maria and Lompoc. Approximately 30 percent were single fathers. They were starting to focus on father-friendly programs, support groups, family nights, etc.

Councilmember Green asked about the military needs and services.

The presenter responded that at Good Samaritan, the average age of veterans was between 25 and 35. Good Samaritan has helped a lot of veteran families. One of the challenges is that in Santa Maria veterans have access to an amazing clinic for medical services, but that mental health and drug and alcohol services were really limited in Santa Barbara County. Most of those services were located in Los Angeles. Many of the veterans also suffer from PTSD which presents a challenge in re-entering the community. The veterans need services beyond what this community can provide, but they were working to try to get those services for them locally. The Veterans' Administration pays for detox for up to 90 days, and were very serious about getting the services they need into our community.

Mayor Patino asked about the kids that are aging out of foster care.

The presenter responded that about 14 percent of adults were from the foster care system, approximately 150 people out of 1,000. Their goal is to get them into permanent housing and get them the support services they need to break the cycle.

5. 2013 ANNUAL WEED ABATEMENT PROGRAM.

Director of Public Works/City Engineer Whitehead gave a presentation as detailed in the written staff report. The City Council is asked to conduct a public hearing to hear protests against the abatement of public nuisances such as noxious and dangerous weeds, rubbish, refuse, and dirt; and if no majority protest exists, authorize the Director of Public Works to perform abatement of the nuisances from public and unimproved private lots. The 2013 Weed Abatement Program began with Streets and Facilities Staff mailing abatement letters to the owners of 243 properties. The purpose of the abatement letter is to make certain that property owners are aware that property they own requires appropriate maintenance. If the property owner fails to abate the nuisances, the City's contractor will complete the abatement and the owners will be billed on their property tax bill. Owners of undeveloped lots who are not successfully notified through the mailing process will have their lots posted. Staff will post developed lots only at the request of the City's Code Compliance Office or the Fire Department.

No written protests were received.

There was no Council discussion.

Mayor Patino opened the Public Hearing.

Ernest Armenta addressed the City Council in favor of the program. He asked why the collection of the revenue was handled through the County, and if there was an assessment district established where the funds to pay for the program were drawn from.

Director of Public Works/City Engineer Whitehead responded to Mr. Armenta's questions indicating that the City budgets each year to pay for the program, and gets reimbursed through the property tax assessments. It was more effective and efficient to collect the fees for the abated properties from property tax assessments, then to handle the billings in house.

With no further requests to speak, Mayor Patino closed the Public Hearing.

Councilmember Boysen asked about the number of notices distributed to property owners.

Director of Public Works/City Engineer Whitehead explained that a letter is mailed requesting the property owner to sign and return the letter indicating the owner intended to do the work themselves. If the letter is not signed and returned, the property is then posted with the notice. If no other contact is received from the owner, staff abates the property in the interest of public health, and assesses the property owner for reimbursement.

Resolution No. 2013-35 was adopted overruling objections and ordering abatement of the properties on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

6. MUNICIPAL CODE TEXT AMENDMENTS FOR EMERGENCY SHELTERS, TRANSITIONAL HOUSING, AND SUPPORTIVE HOUSING, Z-2011-001, E-2011-012 (CITYWIDE).

Director of Community Development Larry Appel gave a presentation as detailed in the written staff report. The City Council is asked to consider recommendations from the Planning Commission to adopt a resolution authorizing the filing of a Negative Declaration, E-2011-012, for the amendments to Title 12 of the City's Municipal Code pertaining to Emergency Shelters, Transitional Housing, and Supportive Housing, Z-2011-001; introduce an ordinance amending Title 12 of the City's Municipal Code, establishing Chapter 12-53, Emergency Shelters, amending Chapter 12-10 CPO (Commercial Office and Professional Office District), amending Chapter 12-12 C-1 (Central Business District), amending Chapter 12-13 C-2 (General Commercial District), amending Chapter 12-18 PF (Public Facilities and Institutional District), and amending Chapter 12-25 PD (Planned Development Overlay District); and introduce an ordinance amending Chapter 2 definitions by establishing Section 12-2.140.1. Supportive Housing and Section 12-2.141.3. Transitional Housing.

The proposed project is an amendment to Title 12 of the Santa Maria Municipal Code to establish an ordinance regarding emergency shelters, and to establish definitions for supportive housing and transitional housing. The amendments will bring the City into compliance with sections of the Government Code, and will satisfy General Plan Housing Element Program 11 – Facilitation of Projects for Homeless Individuals. Additionally, by facilitating emergency shelters, along with transitional housing and supportive housing, the ordinance would help fulfill the housing need for special needs populations as identified in our Housing Element Chapter III – which is the chapter on Housing Needs Assessment.

In October 2007, the Government Code relating to local planning was amended with the intent "to ensure that zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the "Housing Accountability Act." The amendments required local jurisdictions: 1) to identify at least one zoning district to permit emergency shelters with discretionary review; 2) sufficient land must be available in the identified zone district(s) to accommodate the need for emergency shelters and at least one year-round emergency shelter; 3) permit procedures must be objective, and encourage and facilitate the development of emergency shelters; 4) emergency shelters may only be subject to development and management standards that apply to residential or commercial uses and development within the same zoning district; and 5) the City may apply written and objective standards.

Government Code Section 65583.a.5 requires jurisdictions to recognize transitional housing and supportive housing as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

The proposed Zoning Code amendment would establish a new Chapter 12-53, "Emergency Shelters" to define the purpose, definitions, development standards, and procedures relating to the approval of emergency shelter projects. The possible locations for future emergency shelter projects will be documented through amendments to the Title 12-affected zoning district chapters.

Government code Section 65583.a.4.A limits the City to the establishment of objective emergency shelter standards pertaining to the following topics: 1) the maximum number of beds or persons permitted nightly; 2) off-street parking based upon demonstrated need; 3) the size and location of waiting and client intake areas; 4) provision of onsite management; 5) the proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart; 6) the length of stay; 7) outdoor lighting; and 8) security during hours of operation.

The City currently has 801 acres of partially or wholly developed CPO/PF – designated lands, and 510 underdeveloped acres. This is an adequate supply of land to meet the needs of any future shelters.

In addition to allowing the shelters in two zone districts by right, the Emergency Shelter Ordinance would allow emergency shelter projects within the C-1 (Central Business) and C-2 (General Commercial) zoning districts of the City, subject to approval of a Conditional Use Permit (CUP). In these districts, there are 553 acres of partially or wholly developed land, along with 170 vacant acres. This again would more than meet the needs of emergency shelters in the future.

Ordinance amendments relating to transitional housing and supportive housing involve adding definitions to Title 12, Chapter 12-2 of the Santa Maria Municipal Code. The proposed transitional housing and supportive housing definitions reference the State laws that define and fund these types of housing.

The definitions acknowledge that for a development to receive funding by the State as either a transitional housing or supportive housing development, the development must have a minimum of five units. Therefore, transitional housing and supportive housing is limited to zoning districts that allow multi-family housing, i.e., the R-2 (Medium-Density Residential) and R-3 (High-Density Residential) zoning districts. These districts combined account for 753 acres of the City and approximately 170 of these acres are vacant at this time.

A draft Initial Study/Negative Declaration was circulated for public review and comment for the required 30-day period. No comments were received. The Planning Commission considered these amendments to the zoning code and on March 20, 2013, recommended that Council take the action noted in the staff report.

Mayor Patino opened the Public Hearing and asked if anyone wished to speak in favor of the item.

Mr. Armenta asked if they were changing the zoning, and if so it should go back to the Planning Commission so property owners could have a chance to speak on the matter and to understand what was going on in case the change in zoning diminished the value of their property.

Director of Community Development Appel stated that the item was not changing any zones, it was just setting up the process by which homeless shelters could be set up within the City.

With no further requests to speak, Mayor Patino closed the Public Hearing.

Councilmember Boysen commented that he had the pleasure of working with Director of Community Development Appel and his staff in the preparation of this ordinance. The City was only complying with State law. He indicated that the City had been progressive in accepting all types of shelters and transitional housing. Running emergency shelters was not profitable operation, but it was encouraging that to have areas within the City that if a group wanted to provide this type of service, they could do so without a discretionary permit.

Resolution No. 2013-36 was adopted finding no detrimental environmental impact and directing the filing of a Negative Declaration for Amendments to Chapter 12-10, Chapter 12-12, Chapter 12-13, Chapter 12-18, and Chapter 12-25, and adding Chapter 12-53 to the Santa Maria Municipal Code relating to Transitional Housing and Supportive Housing (Z-2011-001, E-2011-012) on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2013-03 Amending Chapter 12-2 of the Santa Maria Municipal Code, relating to Transitional Housing and Supportive Housing to be introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Ordinance No. 2013-04 was introduced amending Section 12-10.03 of Chapter 12-10, and Section 12-12.03 of Chapter 12-12, and Section 12-18.03 of Chapter 12-18, and adding Chapter 12-53 to the Santa Maria Municipal Code, relating to Emergency Shelters to be introduced by title only for first reading and continued to the next meeting for second reading and adoption on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

CITY MANAGER'S REPORT

City Manager Haydon reported on items anticipated for the May 7, 2013, City Council Meeting to include a couple of proclamations; Consent Agenda Items regarding a Water Sales Agreement with Nipomo Community Services District, and a Master Agreement with PG&E for street light retrofitting; Regular Business items regarding the appointments to the Block Grants Advisory Board and the Santa

Barbara County Library Advisory Board, a continuation of the April 2, 2013 discussion regarding Auto Overlay in the C-2 Zone of the Enos Ranchos Specific Plan, and the approval of the CDBG Action Plan; and Public Hearing items regarding Alcoholic Beverage Control license applications for Wal-Mart on Blosser Road and Bradley Road, and the Third Quarter Financial Report and Budget Amendments.

ORAL REPORTS BY COUNCILMEMBERS REGARDING AB1234

Councilmember Zuniga reported she attended the North County Coalition Planning Committee meeting; the transportation meeting with SBCAG along with Mayor Patino and Councilmember Green, on April 11; attended the Fun for Santa Maria Youth Making Change Grant Award Ceremony; attended along with Mayor Patino a reception sponsored by the Santa Barbara Women's Political Committee; and went to SBCAN meeting on April 15 where they were showing information about the Final EIR report for the Santa Maria Energy Project and discussed fracking and cyclic stinging.

Councilmember Orach reported he attended the LAFCO meeting last week.

Councilmember Green indicated that he did not have any AB1234 to report.

Councilmember Boysen indicated that he did not have any AB1234 to report.

Mayor Patino reported that she attended North County Sub-regional meeting in Buellton; attended the Planning Commission Study Session on Thursday, April 4; that the Mayors from Santa Barbara County and San Luis Obispo County were asked to judge at the Orchid Show; attended the Transportation Meeting of the City; attended the swearing in of three officers; and attended with Councilmember Zuniga the North County Women's Political Committee.

Councilmember Green indicated that he attended the Transportation Meeting.

ADJOURNMENT

There being no further business to come before the City Council at this time, Mayor Patino declared the meeting of the City Council adjourned at 8:17 p.m.

APPROVED

May 7, 2013
Date

Kathleen Wilson
Community Development Secretary of the City of Santa Maria and ex officio Clerk of the City Council

Alice M. Patino
Mayor of the City of Santa Maria

ATTEST

Rhonda M. Garietz, CMC
Chief Deputy City Clerk